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FACSIMILE COVER LETTER

Our Ref.:	FOOT100001000	U.S. Serial No.:	10/773,630
Fax No. Called:	(571) 273-8300	Filed:	February 6, 2004
Please Deliver To:	Examiner Charles E. Phillips Art Unit 3751		, , , , , , , , , , , , , , , , , , , ,
From:	Kelly M. Nowak		
Date:	August 12, 2005	Time:	

We are transmitting 36 pages (including this cover sheet)

MESSAGE:

OFFICIAL PAPERS

SECOND AMENDMENT AFTER FINAL REJECTION attached

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Extension of Time Request Express Abandonment Request Information Disclosure Statement Converted Capy of Priority Document(s) Reply to Missing Parts/ under 37 CFR 1.52 or 1.53 SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT Firm Name DeLio & Peterson, LLC Signature Printed name Kelly M. Novak Date August 12, 2005 Reg. No. 47,898 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature August 12, 2005 CERTIFICATE OF TRANSMISSION/MAILING I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below: Signature			I ┌── P	ower of Attorney, Revoca	ation		·	•	
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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the Individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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If the specification and drawings exceed 100 sheets of paper (excluding electronically filed sequence or computer listings under 37 CFR 1.52(e)), the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or finetics themed.										
sheets of fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(a)										
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ame (Print/Type)	Kelly M. Nowak			. F -N			\neg	Date Augus		

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

INVENTOR:	Eric Herbst)	EXAMINER:	Charles E. Phillip
SERIAL NO.:	10/773,630)	ART UNIT:	3751
FILING DATE:	February 6, 2004)	DATE:	August 12, 2005
FOR:	FOOT OPERATED FLUSHING APPARATUS AND METHOD)		•

SECOND AMENDMENT AFTER FINAL REJECTION

MAIL STOP AF Commissioner For Patents P.O. Box 1450 Alexandria, VA 22313-1450

Dear Sir:

Responsive to the Advisory Action mailed August 12, 2005 and the Final Rejection Office Action mailed July 18, 2005, please amend the application as follows: